IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE NINTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY

and
THE HON'BLE MR JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO : 11116 of 2005

Between:

1 Nimmala Madhukar Rao, S/o. Babu Rao,
R/o. H.No. 18-5-221/222, Kalyannagar, Godavari Khani,

Karimnagar District.
(D.D.No. 048183-Rs. 2,75,000)
2 Nimmala Babu Rao, S/o. Bheem Rao,
R/o. H.No. 18-5-221/222, Kalyannagar, Godavari Khani,

Karimnagar District.
(D.D.No. 048184-Rs. 1,50,000)
3 Mandala Naryana Reddy, S/o. Papireddy,
R/o. Qtr.No. 1332, Rammandir Area, Godavari Khani,

Karimnagar District.
(D.D.No. 0481185-Rs. 1,50,000)
4 Kondi Laxmi Pathi, S/o. Lingaiah,
R/o. Qr. No. 1329, Rammandir Area, Godeavari Khani,

Karimnagar District.

(D.D No. 048186 of Rs. 1,00,000/-)
5 Vangala Omprakrash, S/o. Ananda Chary,
R/o. Kalyannagar, Godavarikhani,

Karimnagar District.
(D.D.No. 048187 of Rs. 1,00,000/-)
6 Adepu Ram Babu, S/o. Kamalakar,
R/o. Kalyananagar, Godavari Khani, Karimnagar District.
(D.D.No. 048191 of Rs. 1,00,000/-)

7 Pulluri Papa Rao, S/o. Rajeswar Rao,
R/o. Kalyananagar, Godavari Khani, Karimnagar District.
(D.D.No. 048182 of Rs. 2,75,000/-)
8 P. Srinivas, S/o. Mallesham,
R/o. Ramagundam, Karimnagar District.
(D.D.No. 803069 of Rs. 1,00,000/-)
9 T. Satyanarayana,
R/o. Ramagundam, Karimnagar District.
(D.D.No. 803070 of Rs. 1,00,000/-)
10 K. Thirupathi, S/o. Narsaiah,
R/o. Ramagundam, Karimnagar District.
(D.D.No. 803071 of Rs. 1,00,000/-)
11 A.R. Mohan, S/o. Raghava,
R/o. Ramagundam, Karimnagar District
(D.D.No. 803072 of Rs. 1,00,000/-)
12 V. Ramesh, S/o. Kistaiah,
R/o. Kamanpur, karimnagar District
(D.D.No. 803073 of Rs. 1,00,000/-)
13 P. Venkat Swami,
R/o. Kamanpur, karimnagar District.
(D.D. No. 803075 of Rs. 1,00,000/-)
14 P. Devender,
R/o. Ramagundam, Karimnagar District.
(D.D.No. 803076 of Rs. 1,00,000/-)
15 C. Vani,
R/o. Ramagundam, Karimnagar District
(D.D. No. 803077 of Rs. 1,00,000/-)
16 M. Mallaiah, S/o. Papaiah,
R/o. Kamanpur, Karimnagar District.
(D.D.No. 803086 of Rs. 1,00,000/-)
17 P. Raju, S/o. Mallesham,
R/o. Ramagundam, Karimnagar District.
(D.D.No. 803087 of Rs. 1,00,000/-)
18 V. Jagga Rao, S/o. Narsaiah,
R/o. Ramagundam, Karimnagar District.
(D.D.No. 803088 of Rs. 1,00,000/-)
19 K. Yadhagiri Goud, S/o. Chendyasgoud,
R/o. Ramagundam, Karimnagar District
(D.D.No. 803089 of Rs. 1,00,000/-)
20 V. Haripriya,
R/o. Ramagundam, Karimnagar District.
(D.D.No. 803090 of Rs. 1,00,000/-)
21 M. Thirupathi, S/o. Pocham,
R/o. Ramagundam, Karimnagar District.
(D.D. No. 803091 of Rs. 1,00,000/-)
22 R. Bharathi,
R/o. Kamanpur, Karimnagar District.
(D.D. No. 803092 of Rs. 1,00,000/-)
23 B. Madhu, S/o. Buchilingam,
R/o. Ramagundam, Karimnagar District.
(D.D. No. 803093 of Rs. 2,75,000/-)
24 M. Maruthi Sharma, S/o. Raja Ramaiah,
R/o. Ramagundam, Karimnagar District.

(D.D.No. 803104 of Rs. 2,75,000/-)

25 A. Venkateswarlu, S/o. Darmaiah,
R/o. Karimnagar, Karimnagar District.
(D.D.No. 998059 of Rs. 2,75,000/-)

26 Ch. Sujatha, W/o. Sugunakarrao,
R/o. Karimnagar, Karimnagar District.
(D.D.No. 998062 of Rs. 2,75,000/-)

27 V. Madhusudan Rao, S/o. Vittalrao,
R/o. Karimnagar, Karimnagar District.
(D.D.No. 998057 of Rs. 2,75,000/-)

28 M. Ramesh, S/o. Ramulu,
R/o. Karimnagar, Karimnagar District.
(D.D.No. 998055 of Rs. 2,75,000/-)

29 V. Vani, W/o. Pratap,
R/o. Karimnagar, Karimnagar District.
(D.D.No. 998058 of Rs. 2,75,000/-)

30 A. Rajani, W/o. Sampathrao,
R/o. Karimnagar, Karimnagar District.
(D.D.No. 998060 of Rs. 2,75,000/-)

31 M. Prasad Rao, S/o. Rajeswarrao,
R/o. Karimnagar, Karimnagar District.
(D.D.No. 998056 of Rs. 2,75,000/-)

32 M. Janaki, W/o. Damodar,
R/o. Karimnagar, Karimnagar District.
(D.D.No. 998061 of Rs. 2,75,000/-)

33 K. Raju, S/o. Buchanna,
R/o. Karimnagar, Karimnagar District.
(D.D.No. 998054 of Rs. 2,75,000/-)

34 M. Mallal Rao, S/o. Rajarao,
R/o. Vavilalapally, karimnagar District.
(D.D.No. 998070 of Rs. 1,00,000/-)

35 T. Jayaraj Reddy, S/o. Bazilisreddy,
R/o. Gunturpally, Karimnagar District.
(D.D.No. 998071 of Rs.1,00,000/-)

36 K. Govindha Rao, S/o. Venkat Rao,
R/o. C.V.R.N. Road, Karimnagar, Karimnagar District.
(D.D.No. 998072 of Rs.1,00,000/-)

37 K. Venkat Rao, S/o. Govindha Rao,
R/o. C.V.R.N. Road, Karimnagar, Karimnagar District.
(D.D.No. 998073 of Rs.1,00,000/-)

38 U. Ravinder Reddy, S/o. Bapureddy,
R/o. Ramnagar, Karimnagar, Karimnagar District.
(D.D.No. 998074 of Rs.1,00,000/-)

39 A. Mahender Reddy, S/o. Ramulu,
R/o. Ramnagar, Karimnagar, Karimnagar District.
(D.D.No. 998075 of Rs.1,00,000/-)

40 N. Ranga Rao, S/o. Madhava Rao,
R/o. Vavilalapally, Karimnagar, Karimnagar District.
(D.D.No. 998076 of Rs.1,00,000/-)

41 K. Pithambewr Rao, S/o. Venkatayanaryana Rao,
R/o. Bank Colony, Karimnagar, Karimnagar District.
(D.D.No. 998077 of Rs.1,00,000/-)

42 N. Krupakar Rao, S/o. Mahhava Rao,

R/o. Bank Colony, Karimnagar, Karimnagar District.
(D.D.No. 998078 of Rs.1,00,000/-)

43 N. Sriranga Rao, S/o. Parandhamarao,
R/o. Vavilalapally, Karimnagar, Karimnagar District.
(D.D.No. 998079 of Rs.1,00,000/-)

44 S. Rajgopal Rao, S/o. Mutamrao,
R/o. Vavilalapally, Karimnagar, karimnagar District.
(D.D.No. 998080 of Rs.1,00,000/-)

45 M. Narsimha Reddy, S/o. Madhavareddy,
R/o. Prashanthnagar, Karimnagar, Karimnagar District.
(D.D.No. 998081 of Rs.1,00,000/-)

46 B. Bhasker, S/o. Sangaiah,
R/o. Bank Colony, Karimnagar, Karimnagar District.
(D.D.No. 998082 of Rs.1,00,000/-)

47 B. Ramchander Rao, S/o. Janardhanrao,
R/o. Vavilalapally, Karimnagar, Karimnagar District.
(D.D.No. 998083 of Rs.1,00,000/-)

48 B. Linga Rao, S/o. Ramchanderrao,
R/o. Vavilalapally, Karimnagar, Karimnagar District.
(D.D.No. 998084 of Rs.1,00,000/-)

49 Metpalli Chendrasekhar Rao, S/o. Venkat Rao,
R/o. Saptagiri Colony, Karimnagar, Karimnagar District.
(D.D.No. 173667 of Rs.2,75,000/-)

50 K. Veera Reddy, S/o. Jayareddy,
R/o. Bank Colony, Karimnagar, Karimnagar District.
(D.D.No. 173668 of Rs.2,75,000/-)

51 P. Sharath Rao, S/o. Narsing Rao,
R/o. C.V.R.N. Colony, Karimnagar, Karimnagar District.
(D.D.No. 173669 of Rs.2,75,000/-)

52 B. Rajeshwar Rao, S/o. Late Venkateswararao,
R/o. Bank Colony, Karimnagar, Karimnagar District.
(D.D.No. 173670 of Rs.2,75,000/-)

53 Ch. Mahipal Reddy, S/o. Venkatreddy,
R/o. C.V.R.N. Collony, Karimnagar, Karimnagar District.
(D.D.No. 173671 of Rs.2,75,000/-)

54 P. Sripathi Rao, S/o. Muralidhar,
R/o. Bagathnagar, Karimnagar, Karimnagar District.
(D.D.No. 146007 of Rs.2,75,000/-)

..... PETITIONERS

AND

1 The Commissioner of Income Tax-II, Hyderabad.
2 The Prohibition & Excise Superintendent, Karimnagar,

Karimnagar District.
3 The Income Tax Officer, Karimnagar Range, Karimnagar.
4 The Branch Manager, Andhra Bank, Godavarikhani Branch,

Godavarikhani, Karimnagar District.
5 The Branch Manager, State Bank of Hyderabad,
Ramagundam Branch, Karimnagar District.

6 The Branch Manager, Oriental Bank Of Commerce,
Karimnagar Branch, Karimnagar, Karimnagar District.
7 The Branch Manager, Satavhana Grameena Bank,
Karimnagar Branch, Karimnagar, Karimnagar District.
8 The Branch Manager, Bank of Baroda,
Karimnagar Branch, Karimnagar, Karimnagar District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a Writ, Order or direction, more particularly one in the nature of Writ of Mandamus to declare the impugned Proc. No. CIT-II/Hqrs/281B/Liquer Cases dt. 15-4-2005 issued by the 1st respondent as illegal, null and void and consequently direct the respondents to return the petitioners respective D.D. amounts as mentioned in the cause title duly canceling the D.Ds, by holding the action of the respondents in withholding the petitioners respective D.D. amounts contrary to the provisions of the I.T. Act, 1961 is illegal, arbitrary, discriminatory and opposed to all principles of natural justice and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

For the Petitioners: Mr. Ch. Jagannadha Rao, Advocate.

For Respondent Nos.1 and 3: Mr. S.R. Ashok, Senior Counsel.

For Respondent No. 2: Government Pleader for Commercial Tax.

The Court at the stage of admission made the following :

ORDER: (per Sri B. Sudershan Reddy, J)

Learned counsel for the petitioners seeks leave of this Court to withdraw the writ petition even at the stage of admission. Leave is accorded and the Writ Petition is accordingly dismissed as withdrawn.

(B. Sudershan Reddy, J)

09-06-2005

(Ramesh Ranganathan, J)

ks/bsv

To

1 The Commissioner of Income Tax-II, Hyderabad.
2 The Prohibition & Excise Superintendent, Karimnagar,

Karimnagar District.
3 The Income Tax Officer, Karimnagar Range, Karimnagar.

4 The Branch Manager, Andhra Bank, Godavarikhani Branch,

Godavarikhani, Karimnagar District.

5 The Branch Manager, State Bank of Hyderabad,
Ramagundam Branch, Karimnagar District.

6 The Branch Manager, Oriental Bank Of Commerce,
Karimnagar Branch, Karimnagar, Karimnagar District.

7 The Branch Manager, Satavhana Grameena Bank,
Karimnagar Branch, Karimnagar, Karimnagar District.

8 The Branch Manager, Bank of Baroda,
Karimnagar Branch, Karimnagar, Karimnagar District.

9 Two CCs to the Government Pleader for Commercial Tax, High

Court of Andhra Pradesh, Hyderabad.

10 Two CD copies.